

MINUTES
OF THE MEETING OF THE
TRAFFIC AND PARKING COMMISSION
April 14, 2008

The regular monthly meeting of the Traffic and Parking Commission was held at 3:00 p.m. on Monday, April 14, 2008, at the Metro Southeast at Genesco Park. The following were present unless noted otherwise:

Commission Members

Debbie Frank, Chairperson	Feller Brown
Richard Fletcher, Vice Chairperson	Lawrence Lipman - absent
Glen Wanner	Kathy Austin
Lt. William Keeter	Council Member Carl Burch
Richard M. Morin	

Staff Members

Mark Macy, Engineering Director	Jon Michael, Legal Advisor
Chip Knauf, Traffic Engineer	Diane Marshall, Parking Administrator
Korby Bowden, Engineering Tech II	Benny Word, Collier Engineering
Mauri Wood, Collier Engineering	

Others

Council Member Darren Jernigan, District 11	Ken Donnell, 225 Kennett Rd.
Irwin Venick, 3916 Kimelong Ave.	
Tom McNiel, Spruce Street Baptist Church	

Chairperson Debbie Frank called the meeting of April 14, 2008 to order at 3:05 p.m.

CALL TO ORDER

Ms. Frank mentioned Ordinance No. BL2006-1050 regarding the appeals process of the Traffic and Parking Commission.

"If you are not satisfied with a decision made by the Traffic & Parking Commission, you may appeal the decision by filing for a writ of certiorari with the Davidson County Chancery or Circuit Court. Your appeal must be filed within 60 days of the date of the entry of the Commission's decision. We advise that you seek your own independent legal advice to ensure that your appeal is filed in a timely manner and that all procedural requirements have been met."

APPROVAL OF AGENDA

The Commissioners were provided a revised Agenda. Mr. Glen Wanner moved for ***approval*** of the revised Agenda, seconded by Mr. Feller Brown and ***approved with no opposition***.

APPROVAL OF MINUTES

Council Member Carl Burch moved for approval of the March 10, 2008 Minutes, seconded by Mr. Glen Wanner, ***approved by voice vote with no opposition***.

CONSENT AGENDA

Ms. Frank read a list of items proposed for ***approval*** on consent.

1. **Proposal No. 2007M-238U-3** – Request to abandon a portion of Alley #2007 right-of-way running southwest off Fern Avenue between Brick Church Pike and Evergreen Avenue, requested by Dale & Associates, Inc. (Council Member Frank R. Harrison, District #2)
2. **Proposal No. 2008M-036U-10** - Request to abandon a portion of Alley #442 right-of-way and easement from Division Street northward to dead end, between 17th Avenue South and 18th Avenue South, requested by Kennedy Capital Group, LLC. (Council Member Erica S. Gilmore, District # 19)
3. **Proposal No. 2008M-052G-12** – Request to abandon a portion of Carothers Road right-of-way and easement, requested by Wood Ridge Development (Council Member Parker Toler, District #31)

4. **RESOLUTION NO. 2008-04**

- Change Speed Limit from 45mph to 40mph on Shute Ln. from Montchanin Terrace to Lebanon Pk.
- Change Speed Limit from 40mph & 45mph to 35mph on Poplar Creek Rd. from Old Harding Pk to S Harpeth Rd.
- Establish "No Right Turn" on Centennial Blvd-Southerly to Centennial Place-Northwesterly
- Establish "One Way" on Oak Brook Terrace from Autumn Crossing to Dead End
- Establish Brookview Forest Dr. as "Through Street" from Holt Rd. to Dead End – change to records only

- Authorize Stop on:
 - Fairview Dr. at Snow Ave.
 - Mayview Dr. at Snow Ave.
 - Harpeth Valley Ct. at Harpeth Valley Rd.
- Authorize Yield on Courtney Ct. at Courtney Ave.
- Remove “No Parking or Standing Anytime” on Andrew Jackson Pkwy., east side from 180’ South of Albany Dr. to Albany Dr.
- Remove “No Parking Anytime” on Brighton Rd.
- Establish “No Parking or Standing Anytime” on Brighton Rd. south side from S. Wilson Blvd. to 600’ W of S. Wilson Blvd.
- Establish “No Parking or Standing Anytime” on Molloy St., both sides from 3rd Ave. S to 4th Ave. S
- Remove “Bus Parking Only” on Lindsley Ave., north side between 2nd Ave. S and Academy Place
- Establish “No Parking 2:00pm-4:00pm Monday-Friday” on Bonnameade Dr., both sides from Plantation Dr. to 245’ east of Plantation Dr.

REPORTS

1. Parking – *on consent agenda*
2. Engineering – *on consent agenda*

Mr. Irwin Venick requested that the items regarding Brighton Rd. be removed from the Consent Agenda and discussed in its normal order on the agenda. In addition, Mr. Richard Fletcher said he had an inquiry about Shute Ln. and would like to remove this item from the Consent Agenda for discussion.

Mr. Richard Fletcher made a motion to approve the Consent Agenda without the above mentioned items, the motion was seconded by Council Member Burch and the Consent Agenda was ***approved by a 7-0 hand vote.***

OLD BUSINESS

There were no Old Business Items this month.

APPEALS

1. Appeal of the denial of a Stop Sign at Hillwood Blvd. and Red Oak, requested by Shepley Smith (Council Member Emily Evans, District 23; Council Member Jason Holleman, District 24)

Mr. Chip Knauf reviewed the slides and presentation. As requested from the previous months meeting, a speed study was conducted. Mr. Knauf noted that Hillwood Blvd. is considered a collector street and has existing Stop Signs at Post Rd. and W. Hillwood Blvd. With the new Nashville West shopping area, he said that that most of the volume is on Hillwood Blvd. where the speed limit is 30mph but found traffic moving at 40mph in front of Mr. Shepley Smith's home. The original request submitted to Staff was for speeding and Mr. Knauf said that he was not sure if a Stop Sign was the proper way to slow traffic.

Council Member Burch asked if anyone knew the Council Member's stand on this and Mr. Knauf said that he had not heard from either Council Member, as this road splits districts.

Mr. Shepley Smith, 214 Hillwood Blvd., spoke in favor of the Stop Sign or some mechanism to slow traffic on Hillwood Blvd. He pointed out that this area was unable to participate in the Traffic Calming program because it is a collector street but would like to work with the department if that was an option other than a Stop Sign.

Chairperson Debbie Frank asked if there had been any advances or changes since the previous meeting regarding collector streets being able to participate in the Traffic Calming program. Mr. Benny Word said collector streets, at this time, were not included in the program.

Mr. Mark Macy noted that this is not a policy of Council but a policy of Metro Public Works. He said that collector streets were designed to carry traffic to local routes and although people on this particular street are moving too fast, the street is doing what it was designed and intended to do – move traffic. If Traffic Calming measures were to be installed, it would slow alter the path of emergency vehicles and would alter the traffic flow in general.

Lt. Keeter, Metro Police, said that he could not speak on behalf of the Fire Dept. and the Emergency vehicles but the more stops that have to be made increases the risk when trying to make it to an emergency call.

Chairperson Frank said that she is not sure that a Stop Sign is the correct choice at this location but it would seem more appropriate for additional patrol to help slow the traffic on Hillwood Blvd. Mr. Dick Morin noted that there are several stops in a row on Hillwood

Blvd. and that the speed would increase to make up for lost time and that more police coverage could help slow down the traffic in this area.

Mr. Chip Knauf noted that enforcement does help to slow traffic when they are there and that is the approach that Public Works would like to see taken. Ms. Kathy Austin asked if there were any other options other than enforcement as this area is not suitable for Traffic Calming and not warranted for a Stop Sign. She asked if the neighborhood association and residents were in favor of this and if Mr. Smith had a signed petition of those in favor. Chairperson Frank asked if Mr. Smith had any backing from the Council Member's of these districts.

Mr. Smith said that he did have a signed petition and Council Member Evans deferred because of the split district and Council Member Jameson requested that Mr. Smith take the appropriate measures of going before the Commission. Chairperson Frank asked how many neighbors are at this location and how many signed the petition. Mr. Smith had 18 out of the 23 the resident's signatures in favor of the Stop Sign. Mr. Smith added that these neighbors are not particularly in favor of a Stop Sign but in favor of options to slow the traffic.

Mr. Fletcher moved for approval of the installation of a Stop Sign and Mr. Wanner seconded, motion was approved by a unanimous voice vote.

NEW BUSINESS

1. **Proposal No. 2007M-238U-3** – Request to abandon a portion of Alley #2007 right-of-way running southwest off Fern Avenue between Brick Church Pike and Evergreen Avenue, requested by Dale & Associates, Inc. (Council Member Frank R. Harrison, District #2) – *approved on Consent Agenda*
2. **Proposal No. 2008M-036U-10** - Request to abandon a portion of Alley #442 right-of-way and easement from Division Street northward to dead end, between 17th Avenue South and 18th Avenue South, requested by Kennedy Capital Group, LLC. (Council Member Erica S. Gilmore, District # 19) – *approved on Consent Agenda*
3. **Proposal No. 2008M-049U-8** – Request to abandon a portion of Alley #616 right-of-way from Spruce Street to Jo Johnston Avenue between Charlotte Avenue and Pearl Street, requested by Spruce Street Baptist Church (Council Member Erica S. Gilmore, District #19)

Mr. Mark Macy presented the information and slides regarding the abandonment of Alley #616 near Spruce Street.. He noted that Staff was recommending disapproval of this abandonment because this alley is being used for traffic and circulation at this time. In addition, Metro Public Works is trying to restrict the number of drive-ways along major arterials such as Charlotte Pk.

Mr. Dick Morin asked for clarification on what it means to close an alley. Mr. Macy explained the procedure of closing an alley and how it goes through several

commissions for approval. He said that once an alley is abandoned, Metro does not keep record of it nor keep up the maintenance and the alley is essentially private property.

Mr. Fletcher asked the reasoning behind the church wanting to close this alley. Mr. Macy said they wanted to close it to help clean it up and for safety. Mr. Fletcher asked if one could access this alley from any other parcel.

Mr. Tom McNeal, Spruce Street Baptist Church, spoke in favor of closing this alley. He added that the church owns half of the block and uses it for traffic flow and that the three owners of the parcels that are connected to the alley are in favor of the abandonment as well. One of the adjoining properties has recently been sold to a doctor who has plans to build a new office at that location. At this time, there were no scheduled garbage pick up times and they feel this alley is unsafe.

Ms. Kathy Austin asked how many businesses would be affected by this abandonment. Mr. McNeal said that there are three owners that would be affected and they are all in favor of the abandonment. Mr. Mark Macy added that with a request for abandonment of Metro right-of-way, all property owners affected had to agree and sign a petition.

Mr. McNeal and the Commissioners discussed the parcels and how the property would be split if this alley were to be abandoned. Chairperson Frank noted that the church seemed to have enough drive-ways and traffic flow but was concerned for the future of the other business owners. Mr. McNeal noted that the doctor's offices had private entrances and that they have garbage pick up that was not on this alley.

Mr. Fletcher asked if the doctor who recently purchased one of the parcels was in favor of this abandonment. Mr. Glen Wanner asked if there was any way that the adjacent property owners could construct a fence to close this alley with Metro approval. Mr. McNeal said that the new doctor was in favor of the abandonment and that the church was trying to do what they could to increase the safety in this area.

In response to Mr. Wanner's question, Mr. Macy said he would rather see plans for future construction before any action was taken on abandoning right-of-way and that the number of ramps on Charlotte Ave. would be taken into consideration because ramps cause conflict in traffic and cause accidents. He added that as Nashville is being redeveloped, the goal is to have less ramps and drive-ways on major arterials such as Charlotte with access to buildings and offices in the back using these alleys.

Mr. Wanner asked if Metro Planning had already voted on this item. Mr. Macy said that Metro Planning recommended disapproval had to be voted on by the Traffic and Parking Commission because it is a Mandatory Referral. If recommended by the Traffic and Parking Commission, it requires a majority Metro Council vote. If not recommended, it would require a super-majority Metro Council vote.

Mr. McNeal said that he did not know if the new doctor had plans for his office building as of yet and he did not feel like he had the liberty of withdrawing the application as he was there to represent Rev. Bowman, pastor of Spruce Street Baptist Church.

The Commissioners and Mr. McNeal discussed the options of fencing their property to increase the safety of the church patrons. Mr. McNeal said that the loiters are already crossing over existing fences and that only fencing both ends of the alley would eliminate the problem.

Council Member Burch noted that the new doctor could possible arrange his new facility to where they would need access to this alley. Mr. Feller Brown added that there are 3 parcels connected to this alley and if another medical center is being built, this alley will be used for traffic flow and will not have any vacant space for people to loiter. Lt. Keeter said that he has been patrolling this area for 20+ years and that people are going to walk the alleys, especially near a gas station. He said that when the new medical center is constructed, it will cut down on the people using this alley to cut through and this alley could be of use to the city.

Mr. Dick Morin made a motion to approve the abandonment of the alley seconded by Mr. Richard Fletcher and was disapproved by a 5-2 vote.

4. Proposal No. 2008M-052G-12 – Request to abandon a portion of Carothers Road right-of-way and easement, requested by Wood Ridge Development (Council Member Parker Toler, District #31) – *approved on Consent Agenda*

5. Change Speed Limit from 45mph to 40mph on Shute Ln. from Montchanin Terrace to Lebanon Pk.

Mr. Knauf said that this speed limit change was a request from Council Member Darren Jernigan and that it is not unusual to raise or lower speed limits 5mph if supported by speed study. He presented traffic and speed study information showing the current 85th percentile travel speeds of 44mph on Shute Ln. Mr. Macy added that this is the area that surrounds the Hermitage near Andrew Jackson Pkwy. Mr. Glen Wanner asked what the length of the area was and Mr. Feller Brown said it was roughly a 2 ½ mile stretch.

Mr. Ken Donnell, 225 Kennett Rd., spoke against lowering the speed limit on Shute Ln. as people are already traveling over the speed limit. He added that with the length and structure of the road, the existing speed limit is conservative. Mr. Donnell said that by lowering the speed limit, it will make law breakers out of most because it is safe to drive 45mph. He said that he understood that once Council Member Jernigan got the speed limit down to 40mph, he would request it to be lowered again and that he did not agree. He concluded with saying that people are going to drive the way they want to and that speed limits are limits

Council Member Darren Jernigan, District 11, said that he wanted to clarify that he would not seek to lower the speed limit further after seeing the numbers. He thanked Mr. Donnell for his concern and noted him a worthy opponent for debate.

Mr. Feller Brown discussed that he has lived in this area most of his life and there is no good answer for this location. He said that whether the speed limit is 25mph or 65mph, people are going to speed. Mr. Brown noted that there are not any homes on one side of the road and at each end, the speed limit lowers to 35mph. He said that he agrees with Council Member Jernigan and this may help, but people are still going to speed.

Mr. Wanner noted that the job of the Traffic & Parking Commission is to decide at what speed people should be traveling on this road and speed is determined by a number of factors. He added that if anything, speeds should be lowered for safety.

Mr. Brown said that as traffic approaches the Andrew Jackson School, the speed limit changes from 45mph to 35mph. He asked if the speed should be consistent on the entire road. Mr. Knauf said he is unsure why the 35mph was installed and that normally, Reduced Speed Ahead signs are installed prior to the speed limit change.

Council Member Carl Burch made a motion to approve the speed limit change, seconded by Mr. Fletcher, **approved by a voice vote.**

6. Remove “No Parking Anytime” on Brighton Rd. and establish “No Parking or Standing Anytime” on Brighton Rd. south side, from S. Wilson Blvd. to 600’ W of S. Wilson Blvd.

Mr. Knauf presented information regarding the parking issues on Brighton Rd. and explained that Montgomery Bell Academy has requested the removal of the No Parking signs on Brighton Rd. in front of properties recently purchased by MBA but to leave the No Parking signs in front of the homes on this street.

Ms. Kathy Austin noted that the street looked narrow and asked if the Council Member and residents in this area were in favor. Mr. Knauf said that MBA owns the property and they do not want any parking restrictions at this location. Lt. Keeter added that they are looking to use this area for overflow parking and would be expected to pull off of the roadway into the grass.

Mr. Dick Morin asked what MBA had planned for this area. Mr. Richard Fletcher said that the long term plans for MBA are to continue purchasing the remaining properties and take over the rest of Brighton Rd. as the area becomes available.

Chairperson Frank noted that she would like to have a representative from MBA in attendance to discuss their plan for Brighton Rd.

Mr. Irwin Venick, President of Woodlawn West Historical Neighborhood Association, spoke in opposition of the removal of the No Parking restrictions on Brighton Rd. He said that he has been very involved with the activities, events and parking regarding

MBA. Mr. Venick said that he had met with MBA administrators and agreed on a parking plan for the neighborhood and had agreed to put parking restrictions on one side of the street due to emergency vehicles needing to be able to access the houses on these roads. He added that MBA would like to acquire the remaining land on Brighton Rd. and plan to build a parking garage but was unsure of the timeframe.

Mr. Fletcher asked if the intention of MBA is to get the parking off of the street and would they do what they had to do to be able to park in this area. Mr. Knauf said he could not answer for MBA and Ms. Frank noted that she would like to look into a deferral to have all parties present. Mr. Fletcher asked if MBA had the right to have people park at this location since they own the property. Mr. Knauf said that from a traffic perspective, there is no need to restrict the parking as long as they are not impeding traffic flow and maintaining 12 ft. of roadway.

Mr. Fletcher made a motion to approve the removal of the parking restriction on Brighton Rd.

Mr. Venick noted that the No Parking signs were installed on Brighton Rd. nearly 20 years ago as a zoning requirement. Mr. Knauf said he would like to check the available right-of-way in this area. Mr. Fletcher asked for clarification of the request. Mr. Knauf said that MBA has requested to remove the No Parking restrictions on a portion of Brighton Rd. and because there would not be a violation of parking code, the removal of the prohibition is recommended.

Mr. Dick Morin requested to defer this request to the June meeting so all parties could be in attendance before a decision is made. Mr. Fletcher agreed to withdraw his previous motion for approval and Ms. Kathy Austin seconded the motion for deferral, deferral approved by voice vote.

7. Resolution No. 08-04: The April monthly regulatory Resolution was previously approved under the Consent Agenda.

Traffic and Parking Commission Resolution No. 08-04 authorized by Chapter 9 of the Charter of the Metropolitan Government of Nashville and Davidson County, Tennessee as amended.

BE IT RESOLVED by the Traffic and Parking Commission of the Metropolitan Government of Nashville and Davidson County, Tennessee as follows:

SECTION I: That Chapter 12 of said Metropolitan Code, said Chapter being entitled 'Vehicles and Traffic' is amended as follows:

Schedule II, 'Speed Limits'

DELETE:

Poplar Creek Rd from Old Harding Pk to Willow Oak Dr, 40mph

Poplar Creek Rd from Willow Oak Dr to S Harpeth Rd, 45mph

Shute Ln from Montchanin Tr to Lebanon Pk, 45mph

ADD:

Poplar Creek Rd from Old Harding Pk to S Harpeth Rd, 35mph

Shute Ln from Montchanin Terrace to Lebanon Pk, 40mph

Schedule III, 'Turn Prohibitions'

Section A: No Left, Right, or U Turn

ADD:

Centennial Blvd-Southerly to Centennial Place-Northwesterly

Schedule IV, 'One Way Streets and Alleys'

ADD:

Oak Brook Terrace eastbound from Autumn Crossing to Dead End

Schedule V, 'Through Streets'

ADD:

Brookview Forest Dr from Holt Rd to Dead End

Owendale Dr from Mossdale Dr to Moss Spring Dr

Sherbrooke Dr from Hold Rd to Dead End

Schedule VI, 'Stop and Yield Intersections'

ADD:

Stop on Fairview Dr at Snow Av

Stop on Harpeth Valley Ct at Harpeth Valley Rd

Stop on Mayview Dr at Snow Av

Stop on Hillwood Blvd at Red Oak Dr

Schedule VII, 'Parking Restrictions'

Section A: Stopping, Standing, or Parking Prohibited

DELETE:

Andrew Jackson Pkwy, east side from 180' S Albany Dr to Albany Dr, No
Parking or Standing Anytime

Lindsley Av, north side from 125' East of 2nd Av S to 125' East of
Nashville Children's Theater entrance, Bus Parking Only 9am-1pm M-F

ADD:

Bonnameade Dr, both sides from Plantation Dr to 245' East of Plantation,
No Parking 2-4 M-F

Molloy St, both sides from 3rd Av S to 4th Av S, No Parking or Standing
Anytime

SECTION II. BE IT FURTHER RESOLVED that this Resolution be published in a daily newspaper in Metropolitan Nashville/Davidson County, Tennessee and that a certified copy be filed with the Chief of Police of the Metropolitan Police Department, and that a certified copy be filed with the Metropolitan clerk, and that said Resolution take effect five (5) days thereafter.

APPROVED: April 14, 2008

EFFECTIVE: April 19, 2008

The above mentioned items were previously approved under the Consent Agenda.

OTHER BUSINESS

1. Nashville Downtown Partnership Financial Report

Ms. Diane Marshall provided each of the Commissioners with a copy of the Nashville Downtown Partnership Financial report and said there was no action that needed to be taken by the Commission.

2. Unwarranted All-Way Stop Analysis, presentation by Mr. Chip Knauf

Mr. Chip Knauf asked to defer his presentation to the May meeting so two newly elected Commissioners would be in attendance.

Chairperson Frank recognized Mr. Glen Wanner and Mr. Larry Lipman and thanked them for their dedication and service to this Commission, as this was their last meeting.

ADJOURNMENT

There being no further business, Lt. Keeter moved to ***adjourn***, seconded by Mr. Morin and ***approved by voice vote with no opposition***. The meeting adjourned at 4:45 p.m.

Approved on this the _____ day of _____, 2008.

Director
Department of Public Works

Chairperson
Traffic and Parking
Commission

